

63-04-04

Image 1654

Docket No. 0263-4047

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SUMIDA, Shuji et al.

Group Art Unit: 1654

Serial No.: 09/622,487

Examiner: Jeffrey E. RUSSEL

Filed: August 17, 2000

For: PROTEIN-FREE FORMULATIONS

EXPRESS MAIL CERTIFICATE

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 356 648 810US

Date of Deposit: March 2, 2004

I hereby certify that the following attached paper(s) and/or fee

1. Applicant's Statement of Substance of Interview;
2. Return postcard.

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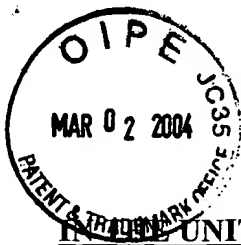
Susan Shen-Frattura

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Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile



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APPLICANTS' STATEMENT OF SUBSTANCE OF INTERVIEW

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Sir:

On February 2, 2004, Joseph Eng Jr. held a telephone interview with Examiner Russel to discuss this application. The courtesies extended by the Examiner are appreciated. A summary of the telephonic discussions between Examiner Russel and the representative for the Applicants is set forth below.

The Examiner reviewed a courtesy copy of Applicants' Declaration under 37 C.F.R. § 1.132 that was faxed to the Examiner on February 2, 2004. Upon review, the Examiner agreed that the comparative test results set forth in Applicants' declaration were sufficient to overcome the pending obviousness rejections under 35 U.S.C. §103(a). The Examiner indicated informally that the case was in condition for allowance, provided that the Declaration would be timely filed.

The Examiner also indicated to Applicants' representative that there was no need to file a Request for Continued Examination (RCE) as long as the declaration is timely submitted.

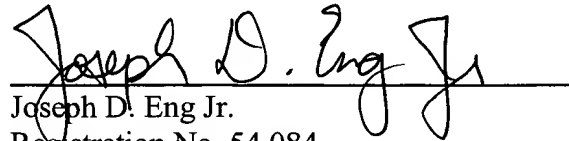
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The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4500, Order No. 00263-4047.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: March 2, 2004

By:


Joseph D. Eng Jr.
Registration No. 54,084

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

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